

REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments and the remarks which follow.

By this Amendment claims 1 and 5 have been amended. Claims 3, 4, 8 and 9 have been cancelled. Thus, the claims presently pending in the application are 1, 2 and 5-7. The Examiner is asked to take note that the limitations previously recited in claim 4 have now been incorporated into claim 1 and the limitations previously recited in claim 9 have now been incorporated into claim 5.

Claims 1-3 and 5-8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the published application of Duboust et al., 2005/0221723. This rejection is respectfully traversed.

Amendments to claims 1 and 5 to recite the limitations of former claims 4 and 9 therein, respectively, serves to distinguish independent claims 1 and 5 over the teachings of Duboust et al. since the recitations found in now cancelled claims 4 and 9 are not disclosed by Duboust. Accordingly, the rejection of claims 1 and 5 for anticipation under § 102(e) have been overcome and should be withdrawn.

The Examiner has rejected claims 4 and 9 under § 103(a) as being unpatentable over the combination of Duboust et al. in view of Roy et al., 2006/0276109. This rejection is respectfully traversed.

The claimed invention, as recited in claim 1, relates to a multilayer polishing pad which has a base pad and a polishing pad, and is characterized by the fact that the base pad does not include fine pores and has a hardness of 10-100 Shore D and a compressibility of 1-10% and has the other features previously recited in former Claim 4.

Duboust discloses a polishing pad (18) comprising a covering layer (22) and a backing layer (20). The polishing pad (18), the covering layer (22) and the backing layer (20) of Duboust, respectively, correspond to the multilayer polishing pad, the polishing

pad (1) and the base pad (2) of the present invention, arranged in order (refer to Fig. 1 of the present invention and Figs 2 and 3 of Duboust).

The backing layer (20) of Duboust, which corresponds to the base pad (2) of the present invention, has the following features:

- i) Duboust describes in [0048] that the backing layer can be an open-cell or a closed-cell foam, such as polyurethane, polyether or poly-silicone with voids, so that under pressure the cells collapse and the backing layer compresses. Thus, the backing layer of Duboust includes fine pores.
- ii) Duboust discloses in [0048] that the backing layer can have a hardness of 20 or less on the Shore A scale. The Shore A is different from the Shore D.

Therefore, Duboust does not teach the base pad (2) of the present invention which does not include pores and has a hardness of 10-100 Shore D.

Duboust discloses that the covering layer (22) of the polishing pad (18) is a relatively durable and hard polishing material, and the covering layer (22) has a hardness of 30 to 80 on the Shore D scale (See [0045]). Duboust further discloses that the backing layer (20) is a compressible material that is softer and more compressible than the covering layer (22), and the backing layer (20) has a hardness of 20 or less on the Shore A scale.

On the other hand, the claimed invention recites that a conventional multilayer or two-layer polishing pad comprises a polishing pad having a hard polishing layer, and a soft base pad at a lower part thereof, thus a high polishing speed is not as necessary during the polishing process (See [30] in PCT document).

Therefore, the polishing pad of Duboust corresponds to conventional multilayer or two-layer polishing pads as described in the present invention. Thus, it is Applicants' opinion that the polishing pad of Duboust does not have sufficient polishing speed during the polishing process.

Ultimately, and contrary to the Examiner's opinion, the present invention cannot be easily made from the disclosure of Duboust.

Roy discloses making a polishing pad by a first reaction which produces a prepolymer and then reacting that with a polyol in a second step. However, Roy does not disclose and teach a multilayer polishing pad comprising a polishing pad and a base pad, as well as the properties of the base pad of the present invention.

Therefore, the present invention cannot be easily made from the disclosure of Roy.

Consequently, the combination of Duboust and Roy cannot be said to render the claimed invention obvious.

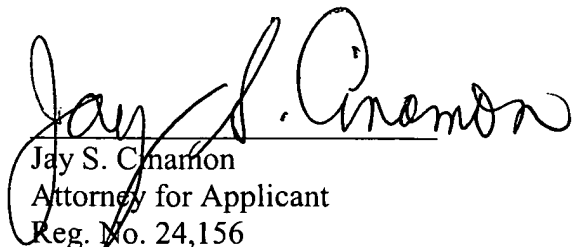
Since the claims distinguish over the combination of references, the § 103 rejection has been overcome and withdrawal is respectfully solicited,

The issuance of a Notice of Allowance is requested.

Please charge any fees which may be due and which have not been submitted herewith to our Deposit Account No. 01-0035.

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB
Attorneys for Applicant

By 
Jay S. Charnon
Attorney for Applicant
Reg. No. 24,156

666 Third Avenue
New York, NY 10017-5621
Tel.: (212) 949-9022
Fax: (212) 949-9190